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BEYER WEAVER & THOMAS LLP			THOMPSON, MICHAEL M		
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Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Edemicals of time may be available under the proximate of 3 CFR 1.35(b). In an event, however, may a reply be timely filed Estantian of time may be available under the proximate of 3 CFR 1.35(b). In an event, however, may a reply be timely filed Estantian of the period for reply specified above is less than thirty (30) days, a reply white the statutory minimum of thirty (30) days will be considered timely. If the period for reply specified above is less than thirty (30) days, a reply white the statutory minimum of thirty (30) MONTHS from the mailing date of this communication of reply specified above is less than thirty (30) days, a reply white the statutory minimum of the communication of the communication of the communication of the communication. Final patient terms adjustment. See 37 CFR 1.704(b). Status Name Responsive to communication(s) filed on				(
## Examiner Art Unit Michael M. Thompson 3763 ## The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Demission of this may be available under the positione of 37 CPR 1.38(b). In no event, however, may a raply be timely filed If the period for reply is appointed subset the positione of 37 CPR 1.38(b). In no event, however, may a raply be timely filed If the period for reply tapedied above, the nearlands address and the period for reply tapedied above, the nearland statutory period will apply and will expire \$13 (c) MONTHS from the mailing date of this communication of		Application No.	Applicant(s)	
Michael M. Thompson 3763		09/961,079	SEWARD ET AL.	
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A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 3 CFR 1.13(a). In no event, however, may a reply be timely filed Extensions of time may be available under the provisions of 3 CFR 1.13(a). In no event, however, may a reply be timely filed Extensions of time may be available under the provisions of 3 CFR 1.13(a). In no event, however, may a reply be timely filed If the period for reply specified above is lose than thiny (30) days, a reply within the abdatory minimum of the mailing date of this communication. Fallule to reply within the sort or osteroided period for reply will, by statute, cause the application to secome ARANCO/RED (36 U.S.C. § 133). Provision of the second patient terms adjustment. See 37 CFR 1.70(d). Status 1) Responsive to communication(s) filed on second patient to remain adjustment. See 37 CFR 1.70(d). Status 1) Responsive to communication for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1.25 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 5) Claim(s) is/are allowed. 6) Claim(s) is/are solpiced to by the Examiner. 10) The drawing(s) filed on is/are: a) cocepted or b) objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. 11) The proposed drawing correction filed on is/are: a) approved by disapproved by the Examiner. 12) The oath or declaration is objected to by the Examiner. 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All -b) Some * c) None of: 1 Certified copies of the priority documents have been received in Application No. 3 Copies of the certified copies of the priority documents have been received. 2 Certified copies of	The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address	
1) Responsive to communication(s) filed on	THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply - If NO period for reply is specified above, the maximum statutory period with the set or extended period for reply within the set or extended period for reply will, by statute, - Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be tim within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).	
2a This action is FINAL. 2b This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-25 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) 1-25 are subject to restriction and/or election requirement. Applicantion Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * o) None of: 1. Certified copies of the priority documents have been received in Application No. application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 120 and/or 121.			•	
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Application/Control Number: 09/961,079

Art Unit: 3763

DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species of the claimed invention:

A. Figures 1-4;

B. Figure 5;

C. Figure 6;

D. Figures 7a-b;

E. Figure 8;

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, there are no generic claims.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the

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examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the 2. inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Contacts

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Michael Thompson whose telephone number is (703) 305-1619. The Examiner can normally be reached on Monday through Friday from 9 am to 5 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Primary, Brian Casler, can be reached on (703) 308-3552. The official fax phone number for submissions to the organization where this application or proceeding is assigned is (703) 872-9302. The official fax phone number for submission of After Final response is (703) 872-9303.

Shanh Thanh mary Graminer

Michael M. Thompson

Patent Examiner

September 29, 2003